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ONTINUED PROSECUTION APPLICATION REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing. (Only for Continuation or Divisional applications under 37 CFR 1.53(d))

Assistant Commissioner for Patents **Box CPA** Washington, DC 20231

Attomey Docket No. 146.1286First Named Inventor T. SHIMURA et al Express Mail Label No. EV 068844138 US Total Pages

This is a request for a	x continuation or divisional	al application under 37 CFR 1.53(d).
(continued prosecution a	application (CPA)) of prior application r	number 09 / 068,253
filed on 6/9/98	, entitled CARTLIAGE/BONE INDO	JCING MATERIAL FOR REPARATION

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either (1) complete as defined by 37 CFR 1.51(b) and filed on or after June 8, 1995, or (2) the national stage of an international application in compliance with 35 U.S.C. 371 and filed on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d) but must be filed under 37 CFR 1:53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA: 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to copies of or information concerning; the prior application may be given similar access to copies of or similar information concerning, the other application or applications in the file jacket

35 U.S.C. 120 STATEMENT: In a CPA; no reference to the prior application is needed in the first sentence of... the specification and none should be submitted off a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

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٠. LJ	Enter the unentered amendment previously filed on	
	under 27 CED 1 116 in the principle	
	under 37 CFR 1.116 in the prior nonprovisional application.	
2. .	A preliminary amendment is enclosed.	•
الإل	The summary difference is enclosed.	

3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).

a. DELETE the following inventor(s) named in the prior nonprovisional application:

b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.

5. Information Disclosure Statement (IDS) is enclosed:

J PTO-1449

Copies of IDS Citations

(Page 1 of 2) Burden Hour Statement This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

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c. Fees required under 37 CFR 1.18.										
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11. S	IGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED
NAME	
	Donald C. Lucas RN 31,275
SIGNATURE	Donald C. Lucar
DATE	
DATE	May 16, 2002
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Date of Deposit: May 21, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" Service under 37 CFR 1.10 on the date indicated above and is addressed to Asst. Commissioner for Patents, Washington, D.C. 20231.

Donald C. Lucas